

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

CONSOLIDATED PIPE & SUPPLY COMPANY, INC.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:07cv362 DPJ - JCS

LARRY TILLMAN

DEFENDANT

ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

CAME ON for hearing the Plaintiff, Consolidated Pipe & Supply Company, Inc.'s ("Consolidated Pipe"), Motion for Default Judgment ("Motion") in the above styled and numbered cause. After considering the Plaintiff's Motion and the Plaintiff's Supplemental Affidavit in Support of Its Motion For Default Judgment filed on May 12, 2009, the Court finds as follows:

1. Plaintiff should be awarded a judgment by default against Larry Tillman in the principal sum of \$85,885.67, plus \$40,491.12 for service charges as of May 12, 2009, for a total of \$126,376.29. Service charges will continue to accrue after May 12, 2009, until this judgment is paid in full pursuant to the terms of the Customer Application For Credit ("Credit Application") executed by Larry Tillman.

2. Plaintiff should further be awarded its reasonable attorneys fees in the amount of \$5,205.00, which reflects the amount incurred as of the date of Consolidated Pipe's Motion for Default Judgment.

3. Finally, Plaintiff is entitled to its attorney fees incurred in executing on this Judgment. Should the Plaintiff and Defendant be unable to agree on the reasonableness of the attorney fees incurred in executing on this Judgment, this Court hereby retains jurisdiction to resolve the dispute. It is, therefore,

ORDERED that Consolidated Pipe & Supply Company, Inc. shall be and hereby is awarded Judgment by Default in its favor and against Larry Tillman in the principal sum of

\$85,885.67, plus \$40,491.12 for service charges as of May 12, 2009, for a total of \$126,376.29, together with service charges of 1 1/2% per month until this Judgment is paid in full, plus reasonable attorneys fees in the amount of \$5,205.00. It is further ordered that the District Clerk shall enroll this Judgment in the official Judgment Roll of this District as provided by law. Finally, it is ordered that this Court shall retain jurisdiction over this matter to resolve any dispute over the reasonableness of Plaintiff's attorney fees in executing on this Judgment.

FOR ALL OF WHICH LET EXECUTION ISSUE.

SO ORDERED AND ADJUDGED this 26th day of May 2009.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

Submitted by:

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